

1 Michael J. Wise, Bar No. 143501
M Wise@perkinscoie.com
2 Lauren Sliger, Bar No. 213880
LSliger@perkinscoie.com
3 Lara Dueppen, Bar No. 259075
LDueppen@perkinscoie.com
4 Sunita Bali, Bar No. 274108
SBali@perkinscoie.com
5 PERKINS COIE LLP
1888 Century Park East, Suite 1700
6 Los Angeles, CA 90067-1721
Telephone: 310.788.9900
7 Facsimile: 310.788.3399

8 Attorneys for Plaintiff and Counter-Defendant
9 *RUYAN INVESTMENT (HOLDINGS) LIMITED*

Gary M. Anderson
ganderson@fulpat.com
Michael J. Moffatt
mmoffatt@fulpat.com
Jessica Brookhart-Knost
jbknost@fulpat.com
FULWIDER PATTON LLP
Howard Hughes Center
6060 Center Drive, Tenth Floor
Los Angeles, CA 90045

Attorneys for Defendants
CN CREATIVE LIMITED and
INTELLICIG USA LLC

10 UNITED STATES DISTRICT COURT
11 CENTRAL DISTRICT OF CALIFORNIA
12

13 RUYAN INVESTMENT
14 (HOLDINGS) LIMITED,
a British Virgin Islands company,
15 Plaintiff,

16 v.

17 VAPOR CORP., a Nevada
Corporation; LOAD AND FOLD dba
18 MAGIC PUFFER, a New Jersey
Corporation; GIL CYPHERT, an
19 individual dba NU 1S; JEFFREY
ORTH, an individual dba JANTY
20 USA; JANTY USA, LLC, a Texas
Limited Liability Company; CN
21 CREATIVE LIMITED, a United
Kingdom company; INTELLICIG
22 USA LLC, a Georgia Limited Liability
Company; and DOES 1-10, inclusive,
23 Defendants.
24

25 AND RELATED COUNTERCLAIMS.
26
27
28

Case No. CV 11-06268 GAF (FFMx)

**STIPULATED PERMANENT
INJUNCTION AND DISMISSAL
WITH PREJUDICE**

1 It is hereby stipulated between Plaintiff Ruyan Investment (Holdings)
2 Limited (“Ruyan”) and Defendants CN Creative LTD, a United Kingdom company
3 (“CN Creative”) and IntelliCig USA, LLC, a Georgia Limited Liability Company
4 (“Intellcig”), by and through their respective counsel, and subject to Court
5 approval, that the Court may enter a stipulated injunction against Defendants CN
6 Creative and Intellicig and a dismissal with prejudice as follows:

7 1. The District Court for the Central District of California has jurisdiction
8 over the parties to this action and over the subject matter hereof pursuant to the 28
9 U.S.C. §§ 1331 and 1338(a). Ruyan filed this suit on July 29, 2011 [Dkt. 1].
10 Service of process was properly made against Defendants CN Creative and
11 Intellicig [Dkts. 32, 14].

12 2. Ruyan is the owner of the entire right, title, and interest in and to
13 United States Patent No. 7,832,410 (“the ’410 Patent”), and all of the claims
14 thereof, are valid and enforceable.

15 3. Defendants CN Creative and Intellicig sold electronic cigarettes
16 depicted in Appendix A, Version #1 and Version #2.

17 4. Defendants CN Creative and Intellicig their agents and employees, and
18 all other persons and entities in active concert or participation with them who
19 receive actual notice hereof by personal service or otherwise, agree to be enjoined
20 by this instrument and restrained from infringing, either directly or indirectly, or
21 inducing infringement of or contributorily infringing any of the claims of the ’410
22 Patent, and from making, having made, importing, using, selling or offering to sell
23 infringing e-cigarettes, including but not limited to Version #1 and Version #2,
24 during the life of the ’410 Patent.

25 5. Nothing herein shall be construed as a release as to any third party.

26 6. The Court shall retain jurisdiction over Defendants CN Creative and
27 Intellicig to enter such further orders as may be necessary or appropriate to
28 implement and enforce the provisions of this Injunction.

1 7. Pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii) and subject to the above,
2 Plaintiff Ruyan and Defendants CN Creative and IntelliCig respectfully request
3 dismissal with prejudice of any and all claims in this action that were or could have
4 been brought against Defendants CN Creative and IntelliCig.

5 8. Each party shall bear its own fees and costs.

6
7 DATED: June 8, 2012

Respectfully submitted,

8 **PERKINS COIE LLP**

9
10 By: /michael j. wise/
Michael J. Wise

11 Attorneys for Plaintiff and Counter-
12 Defendant
RUYAN INVESTMENT (HOLDINGS)
13 *LIMITED*

14 DATED: June 8, 2012

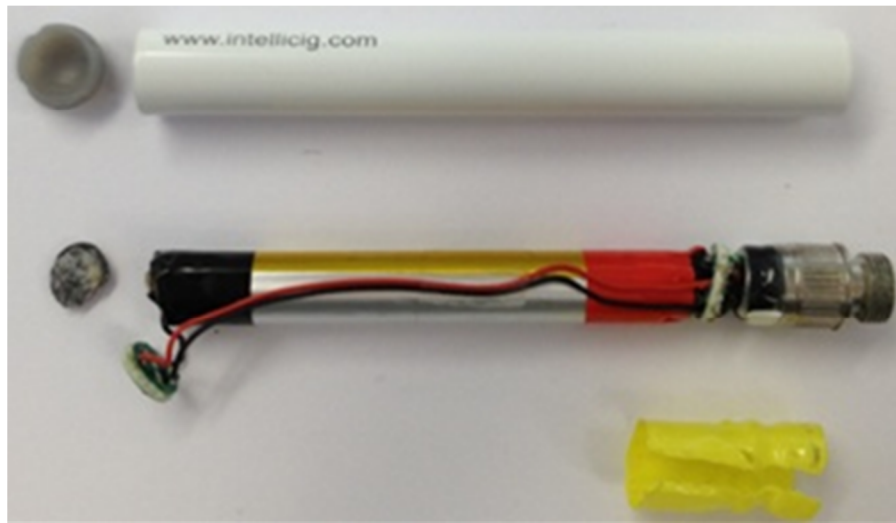
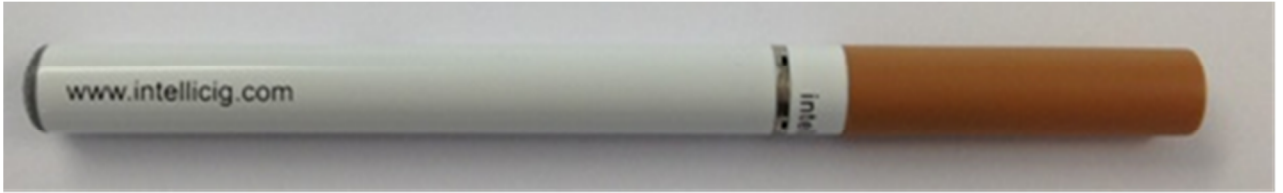
Respectfully submitted,

15 **FULWIDER PATTON LLP**

16 By: /michael j. moffatt/
17 Michael J. Moffatt

18 Attorneys for Defendants
19 *CN CREATIVE LIMITED and*
INTELLICIG USA LLC

APPENDIX A
VERSION #1



VERSION #2

